IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5897 OF 2005

Shri. Rajnish Jawaharlal Kanugo ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. Ganesh Sovani for the Applicant.
Ms M. M. Deshmukh, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 23, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The learned Advocate for the Applicant submitted that substantial part of the investigation is completed. He submitted that the Applicant is a twenty-four years old young person having no criminal antecedents. He submitted that in any case, offence under section 489(B) of the Indian Penal Code is not made out. The learned A.P.P. has placed on record the relevant material collected during the investigation and submitted that considering that offence is under section 489(B) of the Indian Penal Code, the Applicant is not entitled to be enlarged on bail.

2. I have considered the submissions. According to the prosecution case, one boy was found in possession of seven fake currency notes of denomination of Rs.100/- each. He was caught red-handed by a vendor while the said boy was attempting to give fake currency notes. Said boy was arrested and he stated that the fake currency notes were given to him by the Applicant. The Applicant was arrested on 18th August, 2005. Police custody remand

was granted only for four days. Thereafter, the Applicant is in magesterial custody. There is nothing on record to show that the Applicant has criminal antecedents. Substantial part of the investigation is completed and in fact, on the last date the learned A.P.P. was granted time to produce the additional material, if any, against the Applicant. The learned A.P.P. on instructions pointed out that no further material has been collected against the Applicant. There is no allegation that the Applicant is printing the fake currency.

3. In these circumstances, a case is made out to enlarge the Applicant on bail. Hence, I pass the following order:

: O R D E R :

i) The Applicant shall be enlarged on bail in connection with **C.R.No.I-71 of 2005 registered with Vasai Road Railway Police Station,** subject to furnishing a personal bond of **Rs.10,000/-** with one or two local sureties in the like amount.

ii) The Bail is granted subject to condition that till the filing of the chargesheet, the Applicant will attend the concerned Police Station on every Saturday and Sunday between 05.00 p.m. to 07.00 p.m. and

after filing of the chargesheet, the Applicant will report to the concerned Police Station once in the fortnight.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

iv) The Applicant shall co-operate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE